

**Jefferson Co. Commissioner Meeting Minutes
July 13, 2015**

Meeting called to order at 9:00. Those present are Chairman Raymond, Commissioner Hancock, Commissioner Farnsworth, Emily Kramer, Naysha Foster, Cody Taylor, Colleen Poole; Audrey Moon is clerk of the board. Pledge given by Naysha Foster. Prayer given by Emily Kramer.

Josh Tieken

- **Tax Dispute**

[9:01:10 AM](#) This is being brought up again from the last meeting on June 22. Josh asks if any of the Commissioners had come out and looked at the property. Commissioner Hancock has. Josh is just wanting a decision on the lots. Naysha from Planning and Zoning does not consider this a buildable lot. David Bigelow had gifted the lots and then sold them.

[9:03:42 AM](#) Josh is saying other property beyond the oiled road is taxed as ag.

[9:04:46 AM](#) Chairman Raymond has appraiser Debra Finn come up and speak. The lots of Gary Lee are not valued as ag. They are valued as unbuildable lots. These are the parcels past the oil. These are not the parcels in question though. Josh explains which lots are his. They are the three that do not have homes; they do have power and gas. Chairman Raymond asks Naysha if this should be brought to the Planning & Zoning commission. Naysha explains Planning & Zoning cannot make that decision they have to follow the ordinance. Naysha discusses their options. Josh explains there is no way to make them 5 acres. Naysha explains they could group the parcels and plat this.

[9:09:49 AM](#) Commissioner Hancock asks about the end of the oiled road and what the intent for these properties is. Josh states it is going to be used as ag. Does not think Colter Bay has an intention to build but doesn't think he would sell. Commissioner Hancock's observation is he saw a lot of 1 acre lots. Thinks it would be wise on our part to just add the 3 building lots. There is no cul-de-sac at the end of the road. If that road was deeded it would have to have a cul-de-sac. The road was done by HK. When Josh had bought property surveyor said there was room for a 60 foot cul-de-sac.

[9:13:46 AM](#) Chairman Raymond asks Naysha where Planning & Zoning is at for the requirement for ordinance. Board can reinstate building rights. Planning & Zoning commission has to go with the ordinances. Tried to amend original ordinance to help with these kind of properties. Naysha says it is a mess and needs to be addressed and fixed.

[9:16:21 AM](#) 8 parcels in question. Chairman Raymond asks the commissioners to visit with legal counsel as well as having Josh come back with road specs and information on the cul-de-sac. It has to be paved. Josh thinks this could be an option and will get with other parcel owners.

[9:18:03 AM](#) Commissioner Hancock does not want to amend ordinance but maybe make it grandfathered in. Commissioner Farnsworth asks if this problem has been fixed so it does not happen again. Changing the ordinance had made a lot of difference. Naysha explains they don't see a problem until someone comes in for a building permit. Commissioner Farnsworth wants to be able to help prevent other unbuildable lots.

[9:20:46 AM](#) **Robin Dunn is in the room**

[9:21:35 AM](#) **Motion by Commissioner Hancock to table this until July 27 meeting to seek legal counsel and have Josh come in with the specs for the road and possible cul-de-sac. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

Joyce Briggs-Garn Herrick

- **Computer Arts Email Expense**

[9:23:33 AM](#) Garn is here because it has come to his attention the county needs to keep emails for 2 -10 years. Garn cannot do that at this time. Current service does not allow retrieval of old email. With this new system he can go back and restore an individual email. This is not in the budget for this year.

[9:25:01 AM](#) Has a one year or three year agreement. The three year is more cost saving. This is through Barracuda Networks email exchange. All emails filter through beforehand. Garn explains this will make things easier and allow emails to be tracked. All elected officials emails must be kept indefinitely. We as a county do not have the components to do this currently. Does not have budget this year but can wait till the next fiscal year in October. Commissioners discuss that they cannot go into a 3 year agreement.

[9:27:50 AM](#) Commissioner Hancock asks if the State has mandated this then it has to be done. Commissioner Hancock asks if there are other companies they could get a bid from. Garn says he will look and bring back a few options. The cost would be around \$10,000 commitment for the hardware and 3 years of service. Provides a much better auditing trail.

- **Resolution #2015-27**

[9:32:46 AM](#) Joyce has a resolution for destruction. Resolution #2015-27 for disposal of county equipment that is not in commission- sheriff's terminal server, Dell 755, Dell 755, Dell 780, Dell 780, Dell 990, Dell 990, Laptop HRVRPH1, Laptop GFLCQH, Laptop B88F1F1, Laptop H88BBE1, terminal server, terminal server, terminal server, and 8 damaged Dell monitors. Has a request from the Boy Scouts of America for a possible donation.

[9:35:26 AM](#) **Motion by Commissioner Farnsworth to accept Resolution #2015-27. Second by Commissioner Hancock. Roll call vote. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond –aye. Motion passed.**

Nora Ortega-George Ortega, Patsy Burtenshaw, Sam Dye

- **Payroll Audit**

[9:36:57 AM](#) Sam discusses his progress on the audit. He had sat down with Melissa and Emily. He was shown the sheets. Still questioning the time for on call. Chairman Raymond asks if the PTO for Sam has been resolved and it has. He is still questioning the time worked above the 160 hour threshold. Emily explains. Sam says he can see how the PTO worked with the time cards not being forwarded. Commissioner Hancock says to go ahead and address the problem and if he has any further problems bring to Commissioners to address.

[9:41:01 AM](#) Nora Ortega explains George and Mike Byrne helped her look through the audit. Chairman Raymond states since they were not involved in the audit they are relying on the audit committee.

[9:42:16 AM](#) George gives the Commissioners a handout with his findings. Hours were moved from the time card to the column on his spreadsheet. Discuss what George has found. Emily said she has just seen this. She will have to go re-look at the information. George has found several discrepancies. 80 hours OT overpaid, 110 of regular hours underpaid. Showing 10 hours of holiday that had not been paid. Commissioner Hancock asks about comp time? Payroll shows 45.5 comp time. Emily explains they need more time to sit down with George they have done this different. Nora explains they followed policy and procedure. Commissioner Hancock asks about actual audit number. Nora explains she had received 3 different numbers. Was told around 20 hours comp time. Marilyn said 250 hours and Emily said it was 22 hours of comp time owed. Her finding show around 45 hours of comp time. Will have George and Nora sit down with Emily and Melissa.

[9:48:43 AM](#) Patsy Butenshaw says hers will be fairly simple. Said she sat down with Emily and can see where they got their information. Patsy explains she had turned in the correct information. Patsy explains that times on her stubs were not always matching. She had questioned this information but was told it would be correct on the next one. The office has had 3-4 time card changes. Sometimes comp time would not be on until end of the month. Code states that had to have accurate records. Having green sheet turned in instead of actual time cards, wants to know who is responsible for this. Thinks this is unfair.

[9:52:08 AM](#) Commissioner Hancock talks about being accurate on time cards. Need to make sure this is taken care of. Patsy says now it has been taken care of. Trying to move forward. Patsy feels she did turn in accurate time cards she feels the green sheet should not have been turned in the actual time card should have. Commissioner Hancock states they are trying to move forward. Patsy feels it doesn't change the errors that were made.

[9:54:54 AM](#) Chairman Raymond reiterates that they recognized the problem, and are hoping to move towards an electronic time system.

[9:56:12 AM](#) Commissioner Farnsworth asks about the budgeting amount and how they were underpaid.

[9:57:43 AM](#) Attorney Robin Dunn says if they were overpaid there should be a minus. But since they paid the amount they were supposed to they did not realize that the money was already in the negative.

[9:59:23 AM](#) Patsy believes it has been fixed. She feels she is being punished and she did not sign off on the green sheets. Robin Dunn explains that she has already been compensated so that is why she has lost PTO now.

[10:01:37 AM](#) Chairman Raymond asks if Sheriff Anderson has been involved. Melissa explains he has had some input, but not as involved as Emily and herself. Chairman Raymond wants to have the Sheriff involved in the meeting with these individuals.

Parks & Recreation – Emily Kramer

- **Basketball System**

[10:03:41 AM](#) Emily is here talking about the basketball hoops at the lake. Has an Eagle Scout out redoing the basketball court. The Eagle Scout had come to Emily and wanted the county to help with new hoops. Emily has the money in her budget. Commissioner Hancock asks about getting these fabricated. Recommends a metal backboard. Emily explains she had not thought of that. Will go and get some quotes for this.

Planning & Zoning – Naysha Foster

- **First Amended – River Run Estates Final Plat**

[10:09:48 AM](#) Jim Bernard and Naysha Foster are here. Naysha reads her report. Application is the 1st amended plat for River Run Estates. This is an administrative plat is currently wasteland and in R5 zones. Will be using a clustering. Doing a lot line adjustment. Discuss the change. Will only end up being 3 houses on the 40 acres. Naysha explains it meets the requirements.

[10:16:41 AM](#) Motion by Commissioner Hancock to amend plat for River Run Estates. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

- **Public Hearing - Zone Map Amendment**

[10:19:26 AM](#) Zone map amendment that was issued by the county. Would change the zoning map. Back in 2008 had reduced the number of R1 zoning that we had but expanded the R5 zones. There are residential homes zoned as commercial wanted to rezone these. Have to conform to the commercial zoning but are residential which can be hard. Commercial zoning prohibits animals. There are several changes it is effecting over 200 people. Had notified the public.

[10:23:01 AM](#) Commissioners look at the 2 maps the current and the new corrected map. Trying to bring everything into compliance. Planning & Zoning had a meeting May 7 and they recommended approval. Had published notice but did not notify each individual homeowner.

[10:26:01 AM](#) Naysha opens up the public hearing. There are no in favor, no partial, and no against.

[10:26:28 AM](#) Public Hearing closed.

[10:26:32 AM](#) Commissioner Hancock asks the difference between industrial and commercial. Industrial has to do with changing the physical compound of solid or liquid, manufacturing, and processing. Commercial is more geared towards retail, storage units, professional offices. Commissioner Hancock realizes this just had not seen any on the map. Not changing that at this point trying to clean this up first. Has to be in conjunction with the planning use map. The map given only shows what is being changed.

[10:29:54 AM](#) Naysha does not have an ordinance to sign. Will draft up the ordinance to sign for the next meeting.

[10:32:27 AM](#) Robin Dunn left the room

[10:32:33 AM](#) Motion by Commissioner Farnsworth to accept the current zone change. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed

Carlos Aponte – Matthew Waldram

- **Reports**

[10:34:41 AM](#) Wanted to take a few moments and go through a few things. Last Commissioners meeting their competitors came in and made some statements that did not have all the facts. Carlos wants to read his rebuttal to that. Reads his response to Travis and AJ Argyle.

[10:53:44 AM](#) Gives a handout for the report. Showing a 53% loss ratio. Look through the large claims of \$66,000. Major condition with one of the employees. Explains these fluctuate.

[10:55:17 AM](#) Commissioner Hancock asks about how the medical costs are lower. He was told that they all get the same rates. Blue Cross releases the rates to each broker but it matters who tries to lower the rate. Plus they have multiple rates from different sources. Explains that it matters who they have since it is self-funded.

[10:58:45 AM](#) Talks about the information needed for the budget process. Found a carrier that would lock in rates. Contacted Blue Cross this morning they came back with a 2% increase.

[11:04:08 AM](#) Commissioner Farnsworth discusses he's had call from other agencies that just want the bottom line. Carlos just wanted to defend himself.

Assessor – Cody Taylor- Marilyn

- **Scryl Hamberlin (Phone Conference – Homeowner's)**

[11:08:50 AM](#) Cody explains the situation. They had mailed Scryl a notice that had come back with a different address. So the assessor's sent out a letter saying that since you have a different address they would remove the homeowner's exemption. Explains Scryl had called in and said it was their primary residence. The assessor does have to establish the time in the home. Primary residence is own or occupied and occupied means actual use and possession. His wife called and said they were not there in January and her kids were not enrolled in school. Scryl called in unhappy. Assessors tried to

explain they were trying to determine per code if the home was occupied. Scyril would not give them an answer on when they last occupied the home. Scyril did not make an appointment before June 22 which was the deadline.

[11:13:31 AM](#) Commissioner Hancock says he did talk to Scyril. He is out working in Georgia, but cannot establish when they have been in the home. Cannot rent home and still receive per diem while working in Georgia. Assessed value at \$149,716 would pay on \$74,857 if they had the exemption.

[11:16:41 AM](#) Commissioners call Scyril Hamberlin. Chairman Raymond explains they are wanting to discuss the homeowner's exemption. Scyril had received a letter in the mail saying they were removing his homeowner's exemption. Called the Assessor on June 10 saying that he was working out of town. A week later his wife had called the county assessor and was informed this was being evaluated and may not be getting the exemption. Cannot rent home out and receive the per diem while working in Georgia. Was told to schedule something with the Commissioners.

[11:19:14 AM](#) Chairman Raymond asks how long they had been gone. Were you in the home January 1, 2014 but not in the home January 1, 2015? His contract has been changed some. His wife has currently went back to the home. Commissioner Hancock asks if she is staying in the home but she will not. In reviewing the state statutes the homeowner's exemption is only if you own or occupy from January to April. Primary dwelling place states 6 months in the entire year. Chairman Raymond asks if he could verify if they lived in the residence from January 2014 till August 31, 2015. Scyril said they occupied until August 4, 2014, but has not been occupied since August 4 to present time.

[11:25:26 AM](#) Asks about utility bills as proof.

[11:28:28 AM](#) Chairman Raymond says he thinks would need some evidence before making a decision on receiving the homeowner's exemption such as an affidavit and utility bills. Wants Scyril to visit with the assessor directly on what they will need as proof. Just need to establish when they were in the home.

[11:38:07 AM](#) Motion by Commissioner Hancock to grant the homeowner's exemption for Scyril Hamberlin parcel # RPA005008005C. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

Weed Department – Mitch Whitmill

- Department Update

[11:39:47 AM](#) Mitch wanted to update the Commissioners that they have done all the first round of road spraying. Have a lot of issues with thistles. Has sent advisory letters to correct the situation. Never had to move an enforcement. Has been good about taking care of it. Had a mishap this year had not flushed their tank and had to replace sod in a yard. Had a product reaction. Are making sure they ammonia their tanks after they spray. Still very confident in his applicators.

[11:44:58 AM](#) Participated in CWA weed projects in May. Has a lot of projects. Got funded for some spray projects this year. This is funded through to provide chemicals for private property. Has a general release liability form for Robin Dunn to go over.

- Building Upgrade

[11:49:00 AM](#) Mitch has a 10X12 door that needs an opener. Has to prop it up with a stick. Forcing the door up manually is being rough on the door. \$1,150 from Russ's overhead. Commissioner Hancock suggests to get a bid from Discount Doors. Commissioners ask Mitch to come back with another bid.

[11:52:51 AM](#) Going back to review Nora Ortega's audit. George sat down with Emily and Melissa did have some discrepancies and went through step by step. Have agreed upon owing -16.5 comp time. No additional hours owed.

Social Services – Edidt Ramirez

- Executive Session 74-206 (D) Records exempt from disclosure

[11:57:03 AM](#) Motion by Commissioner Farnsworth to go into Executive Session 74-206 (D) Records exempt from disclosure. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

Open session at 12:08

[12:09:12 PM](#) Motion by Commissioner Farnsworth to approve case #2015-42, to deny case #2015-44 for lack of cooperation and possibly not a resident, to deny case #2015-46 for lack of cooperation, and to deny case #2015-47

for lack of cooperation. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

[12:09:49 PM](#) Recess for lunch until 1:00

[1:00:43 PM](#) Open session into Board of Equalization Hearing

Assessor – Cody Taylor

- **BOE – Morgan Peterson (Ag)**

[1:02:05 PM](#) Chairman Raymond swears in Mr. Ray Peterson, Mr. Kurtis Boyce, Debbie, Jessica, and Kathy.

[1:02:59 PM](#) Mr. Peterson gives a handout has some parcels they had paid too much for wanted to make a subdivision. Put on market for what they paid and has not sold in the 308 days it's been for sale. Discuss value of the property.

[1:05:37 PM](#) Chairman Raymond asks about the handout they are reviewing. In summary they are protesting the assessed value on the property. In line with neighbors it would be around \$10,000. They had overpaid for the property.

[1:08:39 PM](#) Debbie gives the Commissioners their appeal form. Debbie reads description lot is in city limits home was torn down in 2010 it is valued like every other lot. There have not been any other bare lots for sale. Land Allocation price of dwelling and land price. Shows price of land and values used. Assessors had measures wrong do need to make that correction to lower the assessed value.

[1:13:02 PM](#) Chairman Raymond asks if Mr. Peterson had discussed this with the assessors. His son had been in as he had been out of the county. Commissioner Farnsworth clarifies acre size. Mr. Peterson explains the zoning changed so he cannot use this for apartments and an entrance as they intended. Chairman Raymond explains the formula used to assess this county and state wide. Debbie says the price paid does not factor into the equation. Chairman Raymond states they have to go on formula and statues.

[1:22:36 PM](#) **Robin Dunn is in the room**

[1:26:20 PM](#) Discuss options and how the lots are comparable to.

[1:28:32 PM](#) **Motion by Commissioner Farnsworth to leave this at the assessor's value with the acreage change. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock - aye, Chairman Raymond – aye. Motion passed.**

[1:34:33 PM](#) Mr. Peterson is here for an ag exemption. Jessica and Kathy have removed the ag exemption. Mr. Boyce says they are farming this for hay and have had cows on the property. Jessica provides maps and information on the property. Mr. Boyce said first half was disked but this year has been getting hay off of it. City of Rigby has provided a letter with numerous complaints about weeds that need to be removed from that property. Also saying they no longer have the ability to farm in the city. Would have to go to counsel meeting with the City to be approved to farm. Mr. Peterson was aware it was a right to farm state. City has forced annex on the land and it went against everything they were told. Doing what they can to get food off the land.

[1:48:29 PM](#) Kathy states they have to go through the City of Rigby because new ordinance has made it no farming in the city limits. Their right has been revoked. They did list this as lower value.

[1:58:52 PM](#) **Motion by Commissioner Farnsworth to grant ag exemption. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

- **BOE- Blue River, LLC (Ag)**

[2:06:58 PM](#) Turk McMurtery, as well as his attorney Mark Fuller is here. Discusses the property is owned by Mr. McMurtery this is an LLC through Blue River. This is ag land. This land has been assessed in the same way for the last six years.

[2:08:41 PM](#) County has stated this will not receive the ag exemption and reevaluated property up to \$50,000. Mark Fuller had made up a protest form but was made aware county had form to fill out. Mark asks Turk aka Buddy James if he had stated no on question #2 if income of property is 15% or more of the gross income. Turk thought this was his personal income not the income Blue River, LLC made. Was not advised by counsel. Farms this with hay and alfalfa. Property is leased to Mr. Ferguson and has a copy of the check which was deposited into his personal account. The business operated on a loss.

[2:20:15 PM](#) Mr. Ferguson is the one who farms the land. Manager of Ferguson Valley Farms and pays to use this 5 acre parcel. Is under Blue River, LLC not in Turk's individual name. Turk reiterates this is farm land.

[2:20:38 PM](#) Attorney Robin Dunn asks whose name the quitclaim deed is under. Kathy finds the deed and it is under Blue River, LLC.

[2:21:08 PM](#) Matt Virgil from the Idaho State Tax Commission would advise to ask legal counsel to make sure the exemption works with an LLC. He had researched this but had not heard back and does not want to give bad advice.

[2:24:10 PM](#) Motion by Commissioner Hancock to grant ag exemption for Blue River, LLC parcel #RP0028602816520. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock –aye, Chairman Raymond – aye. Motion passed.

- BOE- Lynn Powell – Phone Conference

[2:28:15 PM](#) Discuss that Lynn Powell is a BOE because he did not apply by the deadline of April 15.

[2:33:14 PM](#) Chairman Raymond calls Lynn swears him into Board of Equalization. Had recently purchased land up in Ririe. Lynn had not seen the paperwork for the ag exemption he works up in North Dakota and realized he had missed the deadline. Chairman Raymond asks if this is being farmed. He attests that it is. Has a deposited check from Petersons as proof of income. Is making a gross of \$1,000 a year on this property.

[2:36:37 PM](#) Motion by Commissioner Hancock to grant ag exemption for parcel # RP007191002040 and #RP007190020030. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond. Motion passed

[2:38:12 PM](#) Out of BOE into BOCC

- Lamont Hodges/Peggy McKelvey (Homeowner's)

[2:39:21 PM](#) Lamont has paid taxes but assessor's office took off homeowner's exemption. This is Lamont's mother's home her mail had been forwarded. Peggy has never actually moved. Peggy did have a PO Box in Dubois while she was taking care of a gentleman. Did end up coming back to Rigby. Has gotten a change of address/ address correction form and believes the mail is going to correct location now. Lamont had gone to tax preparer and got a letter to state this is Peggy's primary address. All of her belongings have always been there she has not moved.

[2:44:49 PM](#) Marilyn from the assessor's office states he had come and visited with her. Said Lamont and his family had lived in the home for years. Explains the mail had been forwarded and that is where it was sent. She had explained the deadline had passed had letters returned from all addresses found.

[2:47:18 PM](#) Robin Dunn left the room

[2:47:23 PM](#) Peggy has lived in the residence.

[2:49:34 PM](#) Motion by Commissioner Farnsworth to grant homeowner's exemption for parcel #RP00300310030. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock - aye, Chairman Raymond - aye. Motion passed.

Maintenance – Scott Herrick

- Building Information

[2:54:53 PM](#) New card system is working well.

[2:55:58 PM](#) Robin Dunn is in the room

[2:56:11 PM](#) Needs to do annul inspection on the boilers.

[2:56:49 PM](#) Motion by Commissioner Hancock to approve Scott Herrick to approve annual maintenance on the boilers with repair to not exceed \$2,000. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commission Hancock – aye, Chairman Raymond – aye. Motion passed.

[2:58:33 PM](#) Scott gives handout on some issues for the boilers. Commissioner Hancock thinks he needs to get a second option. Scott says to look at proposal very good deal to replace glycol, put in new filters and clean system out. This system is 8 years old now, and has not been cleaned out.

[3:03:31 PM](#) Motion by Commissioner Hancock to accept annual service agreement with ChemSearch to replace glycol in boiler systems to not to exceed \$2,400. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

Public Works – Dave Walrath

- Discuss MOU with City of Rigby

[3:09:34 PM](#) Dave's knowledge is that sometime in the 2010 time frame the City of Rigby had got in with an MOU with City of Rigby to dump sludge in the landfill and then would not charge for water used on the courthouse grounds. Brandi has put some numbers together. Total 2010 to present is around \$65,000. Sprinklers are running about \$1,550 per month.

[3:13:24 PM](#) Discuss pricing for water and what landfill charges.

[3:14:37 PM](#) City of Rigby can take sludge to other locations. It is fairly close amount. MOU is still in effect unless the Commission has a desire to change this. No changes made at this time.

- **Idaho Code 50-222 – Annexation of Lands by Cities**

[3:16:38 PM](#) Dave wants to discuss the 2nd sentence in paragraph 2. "In any annexation proceeding, all portions of highways lying wholly or partially within an area to be annexed shall be included within the area annexed unless expressly agreed between the annexing city and the governing board of the highway agency providing road maintenance at the time of annexation." Thinks the city should be responsible for maintaining roads. 400 is the main road in question. Had discussed with Naysha and plans to visit with Rick from the City. Robin says the city doesn't want to pay for it. Dave said at some point it comes as an expense and City collects impact fees.

- **Status of Half ton Pickup for Road & Bridge**

[3:20:57 PM](#) Dave went to make check progress on Chevy Silverado and the dealership had made an error. The price would go up from \$23,900 to \$27,900. Contacted Goody Motors for a Ford for around \$2,000 less. The truck is 8-11 weeks out. This is a State bid from Goody Motors. The budget hit would be around \$6,800.

[3:25:18 PM](#) **Motion by Commissioner Farnsworth to approve the Road & Bridge to get the Ford with \$6,700 after the trade.. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock –aye, Chairman Raymond – aye. Motion passed.**

[3:27:40 PM](#) Commissioner Hancock asks about motor repair in the claims. Dave explains.

Recess from BOCC
BOE is now in session

Assessor – Cody Taylor

- **BOE-Chad Curtis (Ag)**

[3:35:12 PM](#) Swears in Chad Curtis, Jessica, and Kathy. Chad needed to provide additional information. Has 5 acres farming grain right now.

[3:38:30 PM](#) **Motion by Commissioner Hancock to grant ag exemption on parcel #RP04N39E34010 for Chad Curtis. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth –aye, Commissioner Hancock – aye, Chairman Raymond –aye. Motion passed.**

[3:40:07 PM](#) Sign protestation of value evaluation. Some were changed before the value.

[3:41:15 PM](#) **Motion by Commissioner Hancock to change value for Scyril Hamberlin parcel #RPA005008005C to the value of \$75,654. Peggy McKelvey parcel # RP003000010030 to the value of \$94,613. Second by Commissioner. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye, Motion passed.**

[3:46:00 PM](#) **Motion by Commissioner Hancock to adjourn the BOE meeting. Second by Commissioner Farnsworth. All in favor – aye. Motion passed.**

5 minute recess

Sheriff's Department – Sheriff Anderson

- **Reimbursement of Overtime**

[3:49:16 PM](#) Sheriff Anderson is here to look at OT hours from the lake celebration which cost \$3,920.29. Has recently received a bill from the prior administration for a camera that he was unaware of. Sherriff Anderson is here to see if Parks & Rec. can reimburse the officers for the time and logistics at the lake. Chairman Raymond's concerned about this setting a precedent with other activities in the county.

[3:52:18 PM](#) **Robin Dunn left the room**

[3:52:24 PM](#) John Wolfe is running into some problems with budgeting enough for the extra activities. Chairman Raymond asks if OT was budgeted for the celebration. May need to add money in the next budget. Has to have 4 officers on a day but when you get that many more people in the county they need more than that. Sheriff Anderson just needed to offset some costs. John Wolfe explains sometimes the planned event will help cover the costs. Right now OT has been used up by regular duty.

[3:56:57 PM](#) Commissioner Farnsworth talks about budgeting they need extra police involved. Emily says that Parks & Rec does not have a line in their budget. Emily knows the previous Sheriff had budgeted for this. Chairman Raymond asks about the OT and why is it in the negative. Sheriff Anderson says the turnover is hitting the budget. People leaving, vacation, sick. When they have a vacancy they fill it with OT money.

[4:02:48 PM](#) Chairman Raymond asks Emily about cameras. Emily says they are vehicle cameras. This was a 50/50 grant through Emergency Management. This comes from Emergency Management around \$13,000 grant paid for half and department would be reimbursed. Sheriff does not believe this has been paid yet and should have been paid in the beginning of the fiscal year.

[4:06:07PM](#) **Robin Dunn is in the room**

[4:07:10 PM](#) Commissioner Hancock asks about taking it out of their Commissioner contingency. Chairman Raymond does not want to take this out of the fund is hoping it will level out. Sheriff says they are short staffed. If someone is out ill they have to cover shift, there has to be a certain amount of deputies in the jail.

- **Sheriff's Budget/Personnel**

[4:11:55 PM](#) Sheriff Anderson has a request for personnel action for Caleb Sickenger who filled Detective Franks position who has not been with the county since January. This is a new hire. Gives the Commissioners the personnel action forms detailing their reasoning for the grade and step. Caleb had been working for another law enforcement agency. Quite seasoned officer. Captain Wolfe explains that a new law enforcement deputy takes around 3 years for them to be trained. Caleb has worked on and off for the county for a while. With a seasoned officer the county does not have to pay to be at the POST academy. Emily explains that they usually freeze the lines of the budget and do not hire at this point that is why Emily has had the Sheriff come before the Commissioners. Lynn Parker asks about freezing the budget they are still covering shifts with OT with other deputies, so why not hire and pay regular hours in the lines that are vacant with new hires.

[4:21:03 PM](#) Captain Parker is discussing the 2014-2015 budget. Captain Parker is looking at around \$1,900 with the new hire. Sheriff Anderson is thinking he would be under in other lines. Trying to fill the positions Chairman Raymond explains they are over between 2-9% in the overall budget in the A line. Just wants to state caution understands they need the manpower. Chairman Raymond says as of July 10 they have \$48,000 in the budget. How fast will that disappear? Has tax revenue of around \$700,000 and this has to carry the office through until September 30. Budgeted to spend \$880,000 where is the \$180,000 going to come from to make up the difference.

[4:27:40 PM](#) **Robin Dunn left the room.**

[4:27:48 PM](#) Talk about lines in the budget. Sheriff Anderson said changes need to be made to run the office. Some of the lines are over but other lines where the spot is vacant they are under what they should be. Sheriff Anderson mentions they will be in agreement with Teton County to house their inmates at \$45 day. Chairman Raymond states caution. Sheriff Anderson wants to clarify he did not read it in the policy is hiring personnel his responsibility? Does he need permission? Emily explains the department heads turn it into HR to look through and to clarify step and grade accordingly. Sheriff questions shouldn't the department head be in charge of making that decision? Chairman Raymond thinks it needs to be a coordinated effort. Commissioner Hancock says the person can be put in the grade they deserve.

[4:37:19 PM](#) **Robin Dunn is in the room.**

[4:37:24 PM](#) Emily explains flexibility in the steps. Action form is submitted to HR so they can ensure all the same class is in the same class. John Wolfe is trying to retain his deputies. Explains they don't want their deputies going elsewhere after putting the effort into the deputy. Sheriff Anderson asks that they approve the personnel action forms in front of them today. Chairman Raymond asks if Emily had looked through these forms she did question the step on the new hire but they took in account of the time he has worked for the county previously.

[4:40:49 PM](#) **Motion by Commissioner Hancock to accept the personnel request action forms. Second by Commissioner Farnsworth. Roll call taken Commissioner Farnsworth –aye, Commissioner Hancock –aye, Chairman Raymond –aye. Motion passed.**

[4:48:11 PM](#) Recess

Commissioners

- **Certificate of Residency**

[4:51:14 PM](#) **Motion by Commissioner Farnsworth to approve Megan Johnson and Tati Rodriguez for the College of Southern Idaho. Second by Commissioner Hancock. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock - aye, Chairman Raymond – aye. Motion passed.**

- **Resolution #2015-28 Transfer of Funds**

[4:53:45 PM](#) **Motion by Commissioner Hancock to rescind Resolution# 2015-25 transfer of funds due to wrong amount for the Election's clerk. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.**

[4:54:00PM](#) Transfer funds from fund #15-00-402-01 to fund #01-15-409-00 in the amount of \$6,375.64 to cover pay periods April 3, April 17, May 1, May 15, May 29, June 12.

[4:54:16 PM](#) Motion by Commissioner Hancock to accept Resolution #2015-28 for \$6,375.64 to cover pay periods for the Elections clerk. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth – aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

- Approve Commissioner Meeting Minutes

[4:55:47 PM](#) Discuss changes

[5:04:27 PM](#) Motion by Commissioner Farnsworth to accept June 22, 2015 meeting minutes with noted changes. Second by Commissioner Hancock. All in favor – aye. Motion passed

- Maintenance Contract

[5:05:46 PM](#) Chairman Raymond talks about previous discussion about having Scott be an employee and not in a contract. Questions for Scott. He owns the equipment he uses so the County would have to purchase some. Asks about Scott's input. He says there is no way to do what he does in 40 hours a week. Says he works 60 to 65 hours plus his employees. Equipment is his outside equipment. All the inside equipment is through the county. Tools are his that he uses. Parts or materials the county pays for. He owns the lawn mower, 4-wheeler, trailer, and his pick-up.

[5:09:17 PM](#) Scott wants to discuss that there are some people that don't want him here anymore. This is something he would have to consider. With the possibility of being an employee he would have to consider his options. May consider being done at the end of September. For budget purposes would need to know. Chairman Raymond says he thinks someone could do the job he does but no one could do better than he does currently.

[5:12:44 PM](#) Commissioner Hancock mentions that going from the employee to contract his flexibility would change dramatically. Scott mentions that he was here this morning working in the kitchen in the sheriff's office. Scott's biggest concern is the jail most of the problems are there.

[5:15:34 PM](#) Commissioner Farnsworth asks Scott if the county has a signed contract with Scott. In the claims it comes up contracted services. Scott says he gives them a proposal. Does not have a signed contract. Robin Dunn says it's not in contractual form. Commissioner Hancock says they should provide the scope of work to protect himself and the county. Chairman Raymond clarifies that's if they go contractual or employee would have the same duties.

[5:18:22 PM](#) Chairman Raymond asks Commissioner Farnsworth about having a contract would help alleviate some of the problems. Commissioner Farnsworth says if it was in contract than everyone would know what was expected. Unsure of the benefits of the employee. Chairman Raymond personally does not want to make any changes. Says that Scott has done a lot of work at the lake also works at probation and annex buildings. Does all maintenance, sprinklers, and wells at the lake.

[5:22:15 PM](#) Scott explains over the years he has just been doing the things that are needed to be done to maintain the building. Scott feels he has a large list of things that no one has told him to do but things that need to be done. Chairman Raymond asks what he would prefer. Scott explains he's slowing down. Chairman Raymond explains that they could have him oversee individuals and be less hands on. Robin Dunn explains that a lot of information is stored in someone that has been here a long time. Emily will sit down and crunch the numbers and get with Scott to set a scope of the duties that are done. Will table this until the next meeting.

- Set Budget Workdays

[5:30:00 PM](#) Chairman Raymond suggest concurrent days would be best. If the spreadsheets are there could possibly do this in a day. Also has to meet with the Department heads. Scheduled workday on July 24 at 9:00. Also wants to set a few hours aside on the July 27 meeting.

[5:37:34 PM](#) Motion by Chairman Raymond to table Cola and Step & Grade to July 27 meeting. Second by Commissioner Farnsworth. All in favor – aye.

- Approve Claims

[5:39:06 PM](#) Discuss claims. Commissioner Hancock asks about Computer Arts licensing fee for \$9,000. Discuss the licensing agreement amount. Commissioner Hancock asks about the maintenance on the probation building. Would have to look at the contract for the leased building. Found claim is for 30 Microsoft office licenses for \$302.57 each. Pull that claim for the probation building. Commissioner Farnsworth asks about cutting down the trees at the lake. A prepay was made for \$4,700. Emily had texted the Commissioners but had not received anything in response so she made an emergency decision to cut the trees down. Commissioner Farnsworth states if they replied they would have been in violation of open meeting law. Emily said it was an emergency decision because the water was coming in and felt it was a risk to the public. Had quoted other companies at \$100 a tree. Commissioner Farnsworth asks about having Road & Bridge or Weed Department could have cut the trees. Commissioner Farnsworth said this is setting a precedent. Emily felt that this could not wait. As a risk manager she feels if the trees are dead she needs to take care of this. If she has a dead tree she feels if it fell

she would have a liability to the county. Chairman Raymond says they had received a text he feels there was a risk and where she had not heard anything from anyone. Emily said she had a problem and she took care of this before the firework celebration. Chairman Raymond asks why Commissioner Farnsworth didn't request a special meeting. Commissioner Farnsworth said he didn't feel it was an emergency. Emily feels that it was an emergency.

[6:09:05PM](#) Removed the claims in question the Microsoft licensing agreement and the probation building need to verify it's not covered in contract of the building .

[6:10:53 PM](#) Motion by Commissioner Hancock to approve the claims dated 6-22-2015 to 7-10-2015 for \$730,946.64. Second by Chairman Raymond. Roll call taken. Commissioner Farnsworth – nay, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed

Attorney – Robin Dunn

- Executive Session 74-206 (F) Legal

[6:12:02 PM](#) Motion by Commissioner Hancock to go into Executive Session 74-206 (F) Legal. Second by Commissioner Farnsworth. Roll call taken. Commissioner Farnsworth –aye, Commissioner Hancock – aye, Chairman Raymond – aye. Motion passed.

Open session at 6:17

Discussed legal cases. No actions taken.

[6:17:40 PM](#) Motion by Commissioner Hancock to adjourn at 6:17. Second by Commissioner Farnsworth. All in favor – aye.

Chairman of the Board

Clerk of the Board

County Clerk